

## GOVERNOR'S ADVISORY COUNCIL ON PLANNING COORDINATION

### MINUTES – MEETING OF MARCH 11, 2002

The Governor's Advisory Council on Planning Coordination held a meeting on Monday, March 11, 2002 at the UofD Paradee Center, State Personnel Training Center, Dover, Delaware.

#### Present were:

Lt. Governor John C. Carney, Jr., Chair  
Peg Baunchalk  
Joe Corrado  
Randy Marvel  
Mike McDowell  
Robert McLeod  
Paul Morrill  
Marty Ross  
Secretary Michael Scuse  
Robert Stickels  
Lee Ann Walling  
Secretary John D. Wik  
Rick Woodin

#### Others in attendance:

Charlie Baker  
Karley Barnes  
Dan Blevins  
David Edgell  
Connie Holland  
Dave Hugg  
Diane Jackewicz  
C. Scott Kidner  
Andrea Kreiner  
Ken Lester  
Jerome Lewis  
Ted Matley  
Phyllis McKinley  
William Narcowich  
Ralph Reeb  
Alex Settles  
Tigist Zegeye

#### Absent:

Richard Anthony  
Senator Patti Blevins  
Secretary Nick DiPasquale  
Secretary Nathan Hayward  
Sherry Freebery  
Richard Pryor  
Representative Roger Roy

### CALL TO ORDER

Mr. Carney called the meeting to order at 1:10 P.M. Mr. Carney introduced the newest member of the council, Randy Marvel. Mr. Marvel is replacing Mr. Zimmerman. Mr. Marvel stated that he is from Milford and his family is in the insurance and real estate business. He is a member of the Milford Planning and Zoning Board and has been its chair for 15 years.

Mr. Carney also introduced Paul Morrill. Mr. Morrill will be sitting in for Dee Durham during her maternity leave, Finley Jones, representing Bob Stickles, Ralph Reeb, representing Secretary Hayward and Phil Cherry, representing Secretary DiPasquale.

Minutes were handed out to those members who did not have an opportunity to review them. There was a silent review of the minutes after which Mr. Wik motioned they be accepted, a second was heard by Mr. Scuse and the minutes were accepted unanimously.

### SUBCOMMITTEES

Mr. Carney stated the Annexation Subcommittee has not met yet but Chuck Durante accepted the position of chair. A meeting will be scheduled sometime later this month.

Mr. Carney also reported that the Impact Fee Subcommittee was progressing. Proposals were being pulled together and should be complete in a couple of weeks. The subcommittee also requested and received an extension on the report that was due the Bond Bill Committee. This subcommittee is scheduled to meet next on Wednesday, March 27 at 9:30 A.M., Tatnall Building, 2nd floor conference room, Dover.

Ms. Walling reported on the TDR Subcommittee. The committee has met four times. Decisions: 1) Program will be voluntary for farmers-no involuntary down zoning 2) Accepted the administration's State Level of Investment strategy for directing investment to TDR receiving areas, and allowing for "enhanced" state grants and funding in these areas 3) The TDR programs allow the transfer of development rights "by right." There would be the requisite hearings during the comp plan and during the course of any rezoning, but no additional TDR hearing. The committee agreed (via consensus) to Use By Right. Unresolved issues: County opposition and sending areas. Their next meeting is scheduled for Friday, March 15, 9-11 A.M., Tatnall Building, Room 112, Dover.

Infill/Redevelopment. Mr. Wik stated the subcommittee has met a number of times. Mr. Wik handed out a briefing memo. Their next meeting is March 20 at DEDO, 1:00 P.M. So far discussions have centered around 1) working on a definition of infrastructure and redevelopment, 2) identifying their mission, 3) barriers, 4) path forward and 5) recommendations on the state level.

Mr. Baker asked about one barrier Mr. Wik mentioned, lack of cooperation between county and municipal governments, Mr. Wik gave an example of a NCCo issue: city governments might want to take an old piece of land for redevelopment but find that a portion is outside of city limits and annexation requirements. There might be a lack of communication that does not allow it to happen effectively. Mr. Wik stated that it is not a significant problem but at times finds that communication does not exist.

Paul Morrill had a question concerning the fire code – the committee is looking at various fire codes, federal, MD and Wilmington to name a few. Progress is being made on the issue.

Ms. Walling asked if the state historic preservation office is an issue as far as rehabilitation and redevelopment. Mr. Wik states it is and that they need to look into the efficiency of its permitting process.

Mr. Wik also mentioned he had heard from NCCo Councilman Abbott concerning the location of these meetings. Mr. Carney said he too has heard from Mr. Abbott and would address that issue at the end of the meeting.

Green Infrastructure. Mr. Cherry said the subcommittee met on February 4, however, he wasn't there. Connie Holland, who did attend, said it was a positive meeting. Members discussed what they hoped would come out of the committee. Mr. Cherry also reported that the next meeting is scheduled for April 1 at which time they will define the subcommittee's mission

Dispute Resolution. Ms. Walling reported that Mike Parkowski, chair is ready to go, however, a meeting date has not been set. She will follow-up with Mike.

Community Design. Ms. Holland reported the committee is going into their fourth meeting. They drafted a mission statement, had presentations on sub division design and design standards from Sussex and NCCo. They are going to be looking at criteria for good sub division design, commercial and residential and bike paths. She also stated that before their fifth meeting they would need to start working with DelDOT, Infill, and Green Infrastructures in order to move forward with the subcommittee's goals.

Mr. Corrado stated that sewer was excluded under the legislation having to do with wastewater and impact fees. Mr. Carney stated that there are mechanisms in place to finance wastewater. He stated that the current impact fees are looking at new growth, and fees collected for new growth cannot fix a capacity problem in the current system. However, the questions will be posed to the impact fee subcommittee for clarification.

Ms. Walling asked the subcommittee what they are going to do with the guidelines for design standards once they are established. Ms. Holland stated that a booklet would be available.

Mr. Woodin asked that it would be good to have a community designs standard certificate of approval before bring a project before the LUPA process. Ms. Holland stated that they are working on a kind of seal or certificate for that purpose.

Bob McLeod asked what is the definition of green infrastructure. Mr. Cherry offered, conservation corridor, greenways, forested areas, and expanses of undisturbed areas for recreation; more preservation than infrastructure.

Affordable Housing. Ms. Kreiner read a report sent in by the chair, Sandy Johnson. The subcommittee has been meeting monthly since December. They are determining the most effective means of providing input into Livable Delaware's initiative and they are also going through an educational process regarding growth trends in Delaware and how affordable housing has been incorporated into growth management initiatives in other parts of the country. Some highlights from their February 28 meeting: A presentation by Dr. McFadden, Dept. of Labor. This presentation gave an overview of the different land

use, education, labor and population trends that are impacting how Delaware grows. Also, Charles Banker from New Castle County provided an overview of the impact fees that have been implemented in New Castle County, their Comp Plan and the County's density bonus provision. The next subcommittee meeting will be held April 11. Mr. Carney asked if there is any indication of potential output from the committee. Mr. Baker said he was under the impression that the committee is on a slower schedule with no specific deadlines for a product. Ms. McKinley mentioned that the committee is working very diligently on a definition of what is affordable housing and what constitutes affordable housing besides the traditional HUD definition of income.

Livability Indicators. Diane Jackewicz, representing chair Ed O'Donnell distributed a handout. The committee has met two times. Deciding their task was to review, revise, recommend and monitor livable indicators for the state. They are looking at livability reports for surrounding states to see how they have put livability initiatives into action. They are working closely with the goals from the Governor's office for Livable Delaware and are discussing how the public would like to see indicators they can relate too, such as commute time to work. Their goal is to have basic indicators identified by June. Areas they are looking at are protected farmland, eased land and park land, proposed housing units, proposed non-residential development and community water and sewer, affordability and residential lot size, traffic safety, public transportation use and travel time, farm production and employment performance, stream/water protection, historic resources and plans, and municipal ordinance amendments all consistent with the state strategies. They are looking at sprawl indicators first rather than Livable Delaware indicators as clarified by the Governor's office. Mr. Morrill asked if they would be looking at tracking state spending as in investment areas, mapping ext. transportation, school dollars. Ms. Kreiner said the issue was raised, it was not listed as one of the requested baseline indicators, but it is certainly something that can be considered by the subcommittee.

Mr. Carney thanked all the subcommittees for their work and that the work of the Council is getting done by the subcommittees, which is the way it was set up. He also asked that if there are any other ideas from members about other committees or issues that aren't being addressed by the current subcommittees please let him know.

## PRESENTATIONS

Mr. Carney introduced Jerome Lewis, Director of the Institute for Public Administration, College of Human Services, Education and Public Policy, University of Delaware. Mr. Lewis was joined by Dave Hugg, Alex Settles and David Edgell. M. Lewis handed out a packet of information "hot off the press this morning." Mr. Lewis gave an overview of what IPA has been doing with planning and Livable Delaware. He spoke briefly on their training activities for local government, which now includes a new series on planning. Mr. Lewis stated that he is very proud of their relationship with the State of Delaware in this area. He stated that the Livable Delaware legislation has been very successful in getting the attention of local governments, which in turn has increased their workload. Dave Hugg briefly reviewed their current projects. The bulk of their work has been preparing comprehensive land use plans for municipalities in Delaware. Although each project is unique they have a format that consists of 1) training local planning commission 2) involving public with plan 3) develop plan 4) technical work and document coordination with state agencies 5) adoption stage 6) implementation phase. Mr. Lewis suggested that members go to their website [www.ipa.udel.edu](http://www.ipa.udel.edu) if they have any questions.

Mr. Carney then introduced Ted Matley, Executive Director of WILMAPCO. Mr. Matley was joined in his presentation by Dan Blevins. Mr. Matley presented a printout of his presentation entitled Smart Growth INDEX Model. He stated the only available data they have right now is for New Castle County, however, it can be run for any locale. What Smart Growth INDEX is a GIS sketch model for simulating alternative land-use and transportation scenarios, and evaluating their outcomes using indicators of environmental performance. When members asked about the model's accuracy, Mr. Matley indicated that model should be used as a tool.

#### OTHER BUSINESS

Mr. Carney asked Ms. Walling for an update of the status of Livable Delaware legislation. Ms. Walling reported that there are only a couple of bills that fall under the Livable Delaware umbrella. One being Tax Increment Financing in special development districts introduced by Rep. DiPinto. The other one is Safe Routes to Schools, which is only a concept at this point, not a bill. It deals with bicycle routes, and various programs all ready in place across the country where the idea is to get kids to walk to school. Mr. Reeb said that Transportation is participating in a planning role. Ms. Holland also mentioned that it also ties in with her Community Design Subcommittee.

Ms. Walling asked Ms. Holland for a brief update on the Land Use Planning Act. Ms. Holland said that things were going well. Planning is working with Transportation on preparing flow charts to help design a process that works. Their next meeting is Friday.

Mr. Carney read excerpts from a letter from Councilman Rich Abbott concerning the Dover meeting locale of the Livable Delaware meeting. Mr. Carney stated that a Dover location is equal distance from either end of the state and it is the state capital. Therefore, the council chose Dover to facilitate participation all around the state. However, Mr. Abbott's view was that was not case for his constituents. Mr. Carney said the only other alternative was to meet in all three counties on a rotating basis. Open for discussion, Mr. Corrado moved the council meet in Dover. Mayor Baunchalk said the meetings should continue to be held in Dover because it is the capital and it makes it easier for the state people to attend. Mr. Carney asked representatives from Sussex if they felt it was a problem for their constituents to attend meeting in Dover. Mr. Finley states that if there was an issue they are interested in they will be there. It basically is the same distance for NCCo as is for Sussex. Mr. Woodin indicated that two negative things happen with rotating meeting. 1) If every third meeting is held in New Castle County you have people attending that have not attended the two previous meeting in Kent or Sussex and it would prove disruptive. 2) You may have a situation where you may lose the attendance of council members, say Sussex if it's in NCCo or NCCo if it is in Sussex. Mr. Corrado's motion to keep the meetings in Dover was second by Mayor Baunchalk. The vote was unanimous to keep the meetings in Dover.

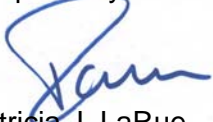
#### NEXT MEETING

The next meeting is scheduled for April 8, 2002, 1:00 P.M., Paradee Building, Dover. Meetings will be held every second Monday of the month, @1:00 P.M. in the Paradee Building, Dover. There are two exceptions due to the fact that those dates fall on state holidays. October's meeting will be held October 21 and November's on November 18 same time and place.

ADJOURNMENT

Meeting was adjourned at 3:05 P.M.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Patricia J. LaRue', is written over the printed name.

Patricia J. LaRue  
Administrative Assistant